

## **CHAPTER 155 SEPARATION DISTANCES**

### **Section 155-010      Purpose**

The purpose of this section of the Zoning Regulations is to regulate the use of land, buildings and/or structures for the uses listed in section 155-020 of the regulations in a manner designed to lessen traffic congestion on any street in the Town of New Milford by restricting the number of high trip multipliers to be located therein. The uses listed in section 155-020 of these regulations are high trip generators of traffic and as such are only permitted subject to site plan approval by the Commission and the issuance of a special permit by the Commission.

The Trip Multiplier Table attached as Appendix B to these regulations, prepared by the Institute of Transportation Engineers, as the same may be amended, shall be used to determine the projected average daily trips generated by a proposed use.

### **Section 155-020      Regulated Uses**

Notwithstanding any other provision in the Zoning Regulations to the contrary, the following uses of land shall not be located within one linear mile (5,280 ft.) of each other. The separation distance of 5,280 ft. is to be measured in a direct line from any portion of the lot on which any of the following uses are located to any portion of the lot on which any of the following uses are proposed to be located.

1. Fast food restaurants with or without a drive thru window.
2. Gasoline service stations with or without a convenience market and with or without a car wash.
3. Convenience market with or without gasoline pumps

Pursuant to the provisions of section 8-6 of the General Statutes, no variance shall be granted by the Zoning Board of Appeals, which would allow any use of land prohibited by the provisions of this section.

### **Section 155-030      Exceptions**

The one mile separation distance shall not apply to:

1. Parcels that are zoned B-1, B-2, I, IC, or RI with frontage or direct driveway access on Danbury Road and located between the south side of the intersection of Bridge Street and Danbury Road and the Brookfield Town Line.
2. Parcels that are zoned B-1, B-2, I, IC, or RI that have fully signalized, direct access to a state highway.

*(Effective May 9, 1998, Amended Effective: September 3, 1999; September 8, 2001; September 1, 2008; September 10, 2013)*